

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:

LUIS JAIME GARCIA GIL

CASE NO.10-11919-MCF

CHAPTER 13

DEBTOR

TRUSTEE'S MOTION FOR ENTRY OF DISMISSAL ORDER

TO THE HONORABLE COURT:

Comes now, Alejandro Oliveras Rivera, Standing Chapter 13 Trustee, represented by the undersigned counsel and very respectfully states and prays:

1. The Trustee filed a motion to dismiss on May 15, 2012 pursuant to 11 U.S.C. §1307(c). Docket no. 81. The request for dismissal is based on debtor's failure to amend Schedule I and J. Also, submit the documents requested by the trustee at the meeting of creditors on February 9, 2012.

2. Debtor requested and obtained a (60 days) extension of time to prepare case for confirmation and to seek agreement with domestic support obligation's claimant. The time to comply with the Court's order in docket #91 has transpired and debtor has not requested a further extension of time

3. As of this date, the debtor has failed to provide and/or address the following:

- a. Disclose Deliz Pharmaceutical Corp's income (\$2,500 plus commission) in Schedule "I" and provide to be paid into the plan.
- b. Submit copy of divorce decree and stipulation as to DSO between the parties.
- c. Submit DSO recipient information and evidence of being current with the post-petition payments.
- d. Submit evidence of household's expenses that debtor pay of her parents in the amount of \$500.00.
- e. As per debtor's testimony in the meeting of creditors he

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incurs in \$240 a monthly expense for 4 cellphones; submit evidence of expense and amend Schedule "J" accordingly.

4. Furthermore, Debtor has 7 months in arrears with the plan payments, equivalent to \$525.00. The last payment received was on August 2012.

5. The conduct on the part of debtor(s) warrants the entry of the dismissal order pursuant to 11 U.S.C. §1307(c)(1), (e) and LBR 1017-2.

WHEREFORE, for the reasons stated above it is respectfully requested from the Court to take knowledge of the above and to enter the order of dismissal for want of prosecution of the case.

CERTIFICATE OF SERVICE: I hereby certify that on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sent a notification of such filing to all those who in this case have registered for receipt of notice by electronic mail. I further certify that I have served to the U.S. Trustee, ustpreion21.hr.ecf@usdoj.gov and by depositing true and exact copies thereof in the United States Mail, postage prepaid, to the non CM/ECF participants: debtor(s) and parties in interest that have filed a notices of appearance included in the address list attached to the original and the Trustee's copy on file.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 12th day of February of 2013.

ALEJANDRO OLIVERAS RIVERA
CHAPTER 13 TRUSTEE
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By: /s/MICHELLE M. VEGA RIVERA
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The undersigned hereby certifies that a true copy of the foregoing document was mailed by first class mail or electronically sent to the parties listed below:

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DATED: February 12, 2013

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S/WALTER LUGO

OFFICE OF THE CHAPTER 13 TRUSTEE